

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DEVORAH CRUPER-WEINMANN,	:
individually and on behalf of all others similarly	:
situated,	: INDEX NO. 13 Civ. 7013 (JSR)
	:
Plaintiff,	: <b>NOTICE OF DEFENDANT’S MOTION</b>
	: <b>TO DISMISS PLAINTIFF’S AMENDED</b>
-against-	: <b>CLASS ACTION COMPLAINT</b>
	:
PARIS BAGUETTE AMERICA, INC. d/b/a	:
Paris Baguette,	:
	:
Defendant.	:
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PLEASE TAKE NOTICE that, upon the supporting Memorandum of Law, the Declaration of Bennet J. Moskowitz dated August 23, 2016, and all prior pleadings and proceedings in this action, defendant Paris Baguette America, Inc. d/b/a Paris Baguette (“Paris Baguette”) will move this Court before the Hon. Jed S. Rakoff, pursuant to Rules 12(b)(1) and (6) of the Federal Rules of Civil Procedure, for an Order: (i) dismissing, with prejudice, plaintiff Devorah Cruper-Weinmann’s (“Plaintiff”) Amended Class Action Complaint [Doc. 40]; and (ii) reinstating the Court’s Order, entered in this action on June 30, 2014, granting Paris Baguette’s Motion to Dismiss Plaintiff’s original Complaint [Doc. 24], the Judgment entered in this action on June 30, 2014 [Doc. 25], and the Court’s Order, entered in this action on September 3, 2014, denying Plaintiff’s Motion for Reconsideration [Doc. 31]; together with such other and further relief as the Court deems just and proper.

Plaintiff’s opposition papers are due on or before September 13, 2016. Paris Baguette’s reply papers are due on or before September 20, 2016.

Dated: New York, New York.  
August 23, 2016

By: /s/ Bennet J. Moskowitz  
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